

1900-060 Chancery Causes: Ozro Young &c vs. R. Wellington Young &c
Lee Co.

Sage, Freeman, Duff

1 Plat

CA-Estate Dispute
T-Property
Migration

To The Honorable W.T. Miller Judge of the Circuit
Court of Lee County Virginia:-

Humbly complaining your Orators and Oratrix, Ozro Young, Bradford Young, Fay Sage, nee Young, and Sampson Sage her husband, will respectfully show to your honor, that recently, to wit, on the day of _____ 1899, Robert D. Young, a citizen of Lee County, departed this life intestate, seized and possessed of a valuable estate, consisting of personalty and realty, that letters of administration on his personal estate were granted to your Orator, Ozro Young, that by virtue thereof he has possessed himself of said personal estate and is proceeding as rapidly as he can to convert the same into money, for distribution among those entitled; that the real estate possessed by the said decedent at the time of his death consisted of his "Home Tract" upon which he resided, containing some two hundred acres, and an undivided moiety in a one hundred acre tract adjoining said home tract, owned jointly by himself and his brother C.V. Young.

These lands are valuable, and are, as your Orators and Oratrix, believe, easily susceptible of partition in kind. Your Orators and Oratrix will now show your honor that the said decedent left the following children and grand children who are his heirs at law, to whom said estate both real and personal descended, to wit, R. Wellington Young, Rosamond Young, who intermarried with John T. Freeman, ^{Victoria} ~~Lizzie~~ Young who intermarried with George Duff, Ossie Young, Cornie Young, Forest Young and Wellington Young who are grand children of said decedent, and children and heirs at law of Marcellus Young deceased, who was a son of said decedent, Lizzie Young and Eva Young, also grand children of said decedent, and children and heirs at law of Alonzo Young deceased, who was another son of the said decedent, Bradford Young, Ozro Young and Fay Sage nee Young, wife of said Sampson Sage. The said Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, grandchildren as aforesaid, are all infants under the age of 21 years, they are likewise non residents of the state of Virginia, and have no guardians in this state.

R. Wellington Young, Rosamond Freeman and John T. Freeman her husband and Victoria Duff and George Duff her husband are also non residents of the state of Virginia. Now the object of this bill is to partition the land

of which the said R.D. Young died seized among his heirs, including his interest in the tract owned jointly by himself and his brother C.V. Young and to this end to partition ^{their} said tract between the said C.V. Young and the children and heirs at law of the said R.D. Young deceased, and to distribute the personal estate of said decedent among his heirs, and for that purpose, to settle, if necessary, the administration account of your Orator, the said Ozro Young, and being without adequate remedy at common law, your Orators and Oratrix pray your honor's court of chancery to take cognizance of their cause and grant them proper relief, to this end they pray that R. Wellington Young, Rosamond Freeman and John T. Freeman her husband, Victoria Duff and George Duff her husband, Ossie Young, Cornie Young, Forest Young and Wellington Young children and heirs at law of Marcellus Young deceased, Lizzie Young and Eva Young children and heirs at law of Alonzo Young deceased and C.V. Young be made the parties defendant to this bill, that they be required to answer the same, but they need not do so under oath as that is waived, that upon a final hearing that the lands owned jointly by the said C.V. Young and said decedent be partitioned, and then that all the lands owned by the said R.D. Young at the time of his death be partitioned among his several heirs, that in making this partitioned that the share of any one of said heirs may be laid off adjoining such other lands as he or she may own, provided the same can be done without material injury to the rights of the other heirs, that the administration account be settled and distribution made of the personalty among those entitled, that order of publication be made against the nonresident defendants and that ~~an~~ a guardian ad litem be appointed to defend the rights of said infants, and for full general relief. May Spa. issue &c.

C. T. Duncan
PQ

Come Com

Carnival Com 37.00
Hobbs Com 7.00
Banner Com 8.00
James Hoge 1 1/2 days 1.50
Bryant Fannon 1 1/2 ^{day} 1.50
\$55.00

Ozro Young & others

vs $\frac{2}{3}$ Bill In Chery

R. Wellington Young et al

1899. 1st October rules bill filed
Spa executed on home gifts
T. O. P for non residents
T. D. M
" 2nd October rules ans of
L. A. L filed T. O. P. Complete
D. M confirmed & Cause
set for hearing.

Nov Term 1900 Decree final

OB No 6 Page 440.

Plffs Costs

Tax 1.50
Clerk 12.57
Shiriff 2.00
atty 15.00
Printer 5.00
Comrs 55.00
L. A. L 5.00
Co Clerk 6.00
\$92.57

Carnival Com 37.00
Hobbs Com 3 1/2 ^{day} 7.00
Banner " 4 day 8.00
James Hoge 1 1/2 day 1.50
Bryant Fannon 1 1/2 ^{day} 1.50
\$55.00

C. V. Young to pay
\$10.03

To the Honorable H.A.W.Skeen, Judge of the circuit court for Lee county, Virginia:

The answer of Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, infants under the age of twenty-one years, by L.T.Hyatt, their guardian ad litem, assigned to defend them in this suit, to a bill of complaint exhibited against them and others in said court by Ozro Young and others.

Respondents, reserving to themselves the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof as they are advised it is material they should answer, answering say, by their said guardian ad litem:

That they are infants of tender years, and, by reason of their infancy, are incapable of understanding or of taking care of their rights and interests. They therefore, by their said guardian ad litem, commend themselves and their rights and interests to the protection of the court, and pray that no decree may be pronounced which will tend to their prejudice.

And now having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray &c.

L.T.Hyatt, Guardian ad litem for
Ossie Young, Cornie Young, Forest
Young, Wellington Young, Lizzie Young and
Eva Young, infants in 21 years of age.

Virginia, Lee county, to wit:

This day personally appeared before me, A.B.Munsey, Clerk of the Circuit Court for said county, L.T.Hyatt, guardian ad litem for Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, whose answer is above written, and made oath

that the statements therein contained, so far as made of his own knowledge, are true, and so far as made from knowledge or information derived from other sources, he believes said statements to be true.

Given under my hand this the 28th day of November, 1899.

A. B. Munsey, Clerk.

be true.
information derived from other sources, he believes said statements to
knowledge, are true, and so far as made from knowledge or infor-
that the statements therein contained, so far as made of his own

Given under my hand this 18th day of November, 1899.

Ozro Young et als.
vs $\frac{3}{2}$ In Chancery
R. Wellington Young
Et al.

Answer of Infants
Defendants by L.P.
Hyatt, Their Guardian
ad litem.

Filed October the 16th 1899
A.B. Munsey Clerk

G.A.L. fee \$5.00

Ozro Young et al

Vs.

R. Wellington Young et al.

This cause came on this day to be again heard on the papers formerly read and the plat and report of partition ~~of~~ of the lands in the bill and proceedings mentioned, made by L.M. Carmical, J.E. Hobbs and V.S. Banner, commissioners appointed for the purpose, which report was filed on the 7th day of November, 1900; and was argued by counsel: and there being no exceptions to said report, and the same being seen and inspected by the Court, it is adjudged ordered and decreed that ~~that~~ said report and partition be, and the same is hereby, confirmed: On consideration whereof it is adjudged, ordered and decreed that C.V. Young take and hold free from the claim of the heirs of Robert D. Young deceased, that part of the 135 acre tract shown by the letters A, B, F and A on said plat; and that the heirs of R.D. Young, deceased, take and hold the residue of said tract, and that the said C.V. Young take and hold the store-house lot, described in said report and partition: that Lizzie Young and Elva Young, heirs at law of ~~of~~ Alonzo Young, deceased take and hold lot No. 1; that Ozro Young take and hold lot No. 2: that Victoria Duff take and hold lot No. 3: that Fay Sage take and hold lot No. 4; that the heirs of Marcellus Young, deceased take and hold lot No. 5 and lot No. 5 "prime": that R.W. Young take and hold lot No. 6: that Rosamond Freeman take and hold lot No. 7: that Bradford Young take and hold lot No. 8, each by the metes and bounds thereof as described in said partition report, and free from the claims of the other coparceners; and it is further adjudged, ordered and decreed that the Clerk of this Court furnish said report and plat together with a copy of the decree appointing said Commissioners and a copy of this decree to the Clerk of the County Court to be recorded by him in the proper Deed Book in his office, which when so recorded shall constitute to each of the parties interested in said lands muniments of title as ample and sufficient as if deeds of partition had been made, executed and delivered by and between said parties; and it is further adjudged, ordered and decreed that the costs of this suit be paid equally by the parties in interest according to their respective interests, except as to the partition of the 135 acre tract between C.V. Young and the heirs of R.D.

Young deceased, one-half of which shall be borne and paid by the said C.V. Young, and the residue by the heirs of R.D. Young, deceased. Said costs shall be taxed by the Clerk for which execution may issue, and said costs may be paid by the administrator of R.D. Young deceased, out of any funds in his hands going to said heirs, and if paid by said administrator he will take receipt for the same which shall constitute credit to him on the settlement of his account as such administrator: and this cause is stricken from the docket.

Ozro Young et al
vs
Z. Deane Junior
R. Williamson Young et al

Enter this decree

H. A. W. Shaw
Nov 9th 1900
Entered on
Chy. D. B. No. 6.
P. 440.

Ozro Young et als

Plaintiffs

vs.

R. Wellington et als.

Defendants

This cause came on ~~aga~~ this day to be heard on the bill of the complainants ~~th~~ answer of the infant defendants, Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, by L.T. Hyatt their guardian ad litem and general replication to said answer and was argued by counsel: And it appearing to the court that process has been duly served upon the home defendants and that order of Publication has been duly made, posted, published and completed for more than fifteen days before the first day of this term of the court, ^{against the non resident defendants} and that they have each failed to appear, plead ~~demur~~ ^{answer} or demur to said bill, the same is taken for confessed as to them and each of them, on consideration of which, and it appearing to the court that the parties are entitled to have partition of said land and the same can be had in kind, it is therefore adjudged ordered, and decreed that E.M. Carnical, J.E. Hobbs and V.S. Banner do go upon the lands in the bill mentioned and partition the same among those entitled thereto. They will first partition the lands owned jointly by the defendant C.V. Young and his brother R.D. Young, now deceased, giving to the said C.V. Young one equal half in value thereof quantity and quality considered and to the heirs of the said R.D. Young deceased the other half thereof, which half so laid off to the heirs of the said R.D. Young, said commissioners will lay off adjoining the other lands owned by the said R.D. Young in his life time if the same can be done without material injury to the interest of the owner of the other half of said tract. Said commissioners will then partition all the lands owned by the said R.D. Young among his heirs. They will assign to the plaintiff Ozro Young one equal eighth part thereof, to Bradford Young one equal eighth thereof, to Fay Sage one equal eighth thereof to R. Wellington Young one equal eighth thereof, to Rosamond Freeman one equal eighth thereof, to Victoria Duff one equal eighth thereof, to Ossie Young, Cornie Young, Forrest Young and Wellington Young children and heirs at law of Marcellus Young deceased, one equal eighth thereof, to Lizzie Young and Eva Young, children and heirs at

law of Alonzo Young deceased the other equal eighth thereof, having due regard to quantity, quality, ways, water and other conveniences of said land. In making said partition said commissioners will lay off the share of any one of said heirs adjoining ^{any} other lands owned by them or by the husband of any one of said heirs, if the same can be done without injury to the other parties interested in said partition. Said commissioners will make a fair plat and report of their proceedings and return ^{therein} to this court. And this cause is continued.

Ozod Young et als.

vs. $\frac{1}{2}$ Deane for partition

R. Willington Young et al^s

Entered on Chy C.B.
No C.P. 305 & 306.

Enter this decree

It is so shown

Nov 13th 1899,

(3 Copies)

Virginia

At a circuit Court continued and held
for Lee County at the Court-house thereof on
Monday November the 13th 1899.

Ozro Young et als

Plaintiffs

vs

In Chancery

R. Wellington Young et als Defendants

This Cause came on again this day to
be heard &c ~~### ### ### ### ### ### ### ###~~
and it appearing to the Court that the parties
are entitled to have partition of said land it
is therefore adjudged ordered and decreed that
L. M. Barrickal, J. E. Hobbs and V. S. Banner
do go upon the lands in the bill men-
tioned, and partition the same among
those entitled thereto. They will first parti-
tion the lands owned by the defendant C. V.
Young and his brother R. D. Young now
deceased, giving to the said C. V. Young one
equal half in Value thereof quantity and
quality considered, and ^{to} the heirs of the said
R. D. Young deceased the other half thereof
which half so laid off to the heirs of the
said R. D. Young said Commissioners will
lay off adjoining the other lands owned by
the said R. D. Young in his life time if
the same can be done without material

injury to the interest of the owner of the other half in said tract; said Commissioners will then partition all the lands owned by the said R. D. Young among his heirs.

They will assign to the Plaintiff Ozro Young one equal eighth part thereof, to Bradford Young one equal eighth part thereof, to Fay ^{to Victoria Duff} one equal eighth part thereof, to R. W. Page one equal eighth part thereof, to R. Wellington Young one equal eighth part thereof, to Rosamond Freeman one equal eighth part thereof; to Ossie Young, Bernice Young, Forest Young and Wellington Children and heirs at law Marcellus Young deceased one equal eighth thereof; to Lizzie Young and Eva Young Children and heirs at law of Alongo Young deceased the other eighth thereof having due regard to quantity, quality, ways, water, and other conveniences of said land.

In making said partition said Commissioners will lay off the share of any one of said heirs adjoining any lands owned by them, or by the husband of any one of said heirs if the same can be done without injury to the other parties interested in said partition, said Commissioners will make a fair plat and report of their proceedings and return them to this Court. And this Cause is Continued.

Abstract

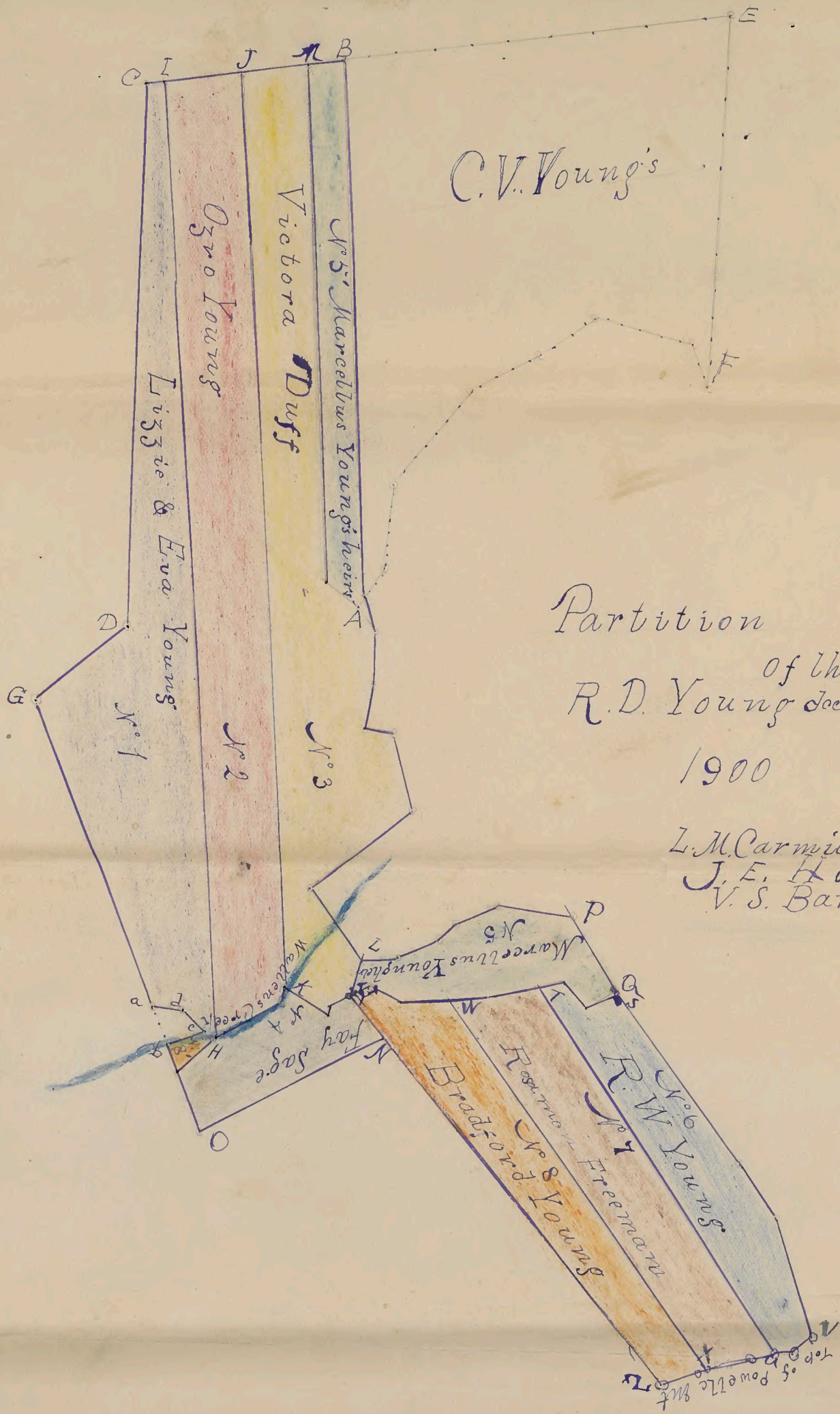
Copy A B Munsey Clerk

Ozro Young et al
vs } Copies of Decree

R Wellington Young et al
Executed by delivering
an attested office copy
of the within Decree to
L M Carnical, J. E. Hobbs
& V. S. Banner, this the
10 day of Jan 1900

R. J. Liversay Dept
for W. J. Muleham SdC

Copies for L M Carnical
J. E. Hobbs & V. S. Banner



C.V. Young's

Partition
of the
R.D. Young's Land
1900

L.M. Carmical
J.E. Hobbs } Comm
V.S. Banner

Ozro Young
vs { Plat & Report

R. Wellington Young

Filed Nov 7th 1900

A.B. Munsey Clerk

Ozro Young et al Plaintiff
vs
R. Wellington Young & Co Defendants } In Chy

Pursuant to an order of the Circuit Court
in the above styled Cause dated Nov 13th 1899
We the undersigned Commissioners L. M. Car-
michael, J. C. Hobbs & V. S. Barnes have partition-
ed the lands in the bill mentioned accord-
ing to the following Plat and Report.

We found the lands owned jointly by
R. D. Young & C. V. Young to consist of two
separate tracts one in woods containing
about 135 acres and the other known as
the Stone house lot containing about one
acre - We partitioned the former tract
so as to give to the heirs of R. D. Young
that quantity which we considered equal
in value to one half of said tract adjoin-
ing their other lands - Beginning at (A)
a stake at the north end of a lane
thence N 6 W 164 poles to (B) a chestnut
on the north original line thence with
the same S 72 3/4 W 60 poles to (C)
a buckeye & red oak on the east bank
of dry Creek the north west corner of
the original tract thence with west orig-
inal line S 12 E 166 poles to (D) a stake
thence various courses with the south
boundary of timber to the beginning
Containing 60 acres More or less -
We assign the remaining part of said
135 acres to said C. V. Young bounded

as follows Beginning at (A) a stake at the
north end of a line Thence with a line
of the aforesaid Coconino tract N 64° 16' 4" W 164 poles
to (B) a Chestnut on the north line and with
the same N 79° 34' 6" E 120 poles to E a cucumber
pointer on agreed corner Thence with the
agreed East line of tract S 22° 51' E 100 3/4 poles
to F a chestnut & gum pointer - place of
Spanish oak, thence with the south edge
of timber various courses containing 75
acres more or less -

The one half in value to the store house lot
which we again to C. V. Young as bounded
thrusly Beginning at (a) a sugar tree
the North west original corner thence with
the west line of tract S 22° 51' E 11 3/4 poles to (b)
stake N 68° 6" E poles to c a stake on the
East line and with the same N 47° 12' W
8 3/4 poles to d a sycamore thence with the
North line N 85° 12' W 9 3/10 poles to the begin-
ning. Having thus partitioned these two tracts
of land we proceeded to partition the entire
body of land thus owned by the said R. D.
Young deceased as follows. We have laid
off and assigned to the heirs of Henry Young
deceased - Lizzie & Eva Young jointly and to
be bounded as follows Beginning at H
a thorn bush on the north bank of Wallens
Creek a corner to the store house lot
thence with line of same N 47° 12' W 13 3/10 poles to (d)
a sycamore N 85° 12' W 9 3/10 poles to (a) a sugar
tree on the west original line and with

1 The same $N 22^{\circ} 51' W 140\frac{1}{2}$ poles to (D) a rock about
2 one pole South of a hickory and in
3 a lane thence continuing with original line
4 $N 47^{\circ} E 36$ poles to (D) a stake original corner
5 thence continuing with original line
6 $N 1\frac{1}{2} W 166\frac{7}{10}$ poles to (C) a red oak and buck-
7 eye the North west original corner thence
8 with original line $N 79^{\circ} E 5$ poles to a small
9 hickory thence $S 6^{\circ} E 295$ poles to a stake
10 in sand creek and with the same
11 to the beginning containing 41
12 Acres More or Less -

13 We have laid off and assigned to Ozo
14 Young Lot No 2 bounded in this manner
15 Beginning at (I) a small hickory on the
16 North line, corner to Lot No 1, thence with
17 said line $N 79^{\circ} E 23\frac{1}{4}$ poles to (J) a stake &
18 spindlers thence $S 6^{\circ} E 285$ poles to a stake in
19 creek and with the same to (K) a stake
20 the South west corner of Lot No 1 and with
21 line thence $N 6^{\circ} W 295$ poles to the begin-
22 ning containing 41 acres More or
23 less -

24 We have laid off and assigned to Vict-
25 oria Duff Lot No 3 bounded as
26 follows Beginning at (A) a stake
27 at the North end of a lane corner to
28 C V Youngs land thence with a road
29 being the original division line $S 17^{\circ} E$
30 $10^{\frac{69}{100}}$ poles $S 2^{\circ} E 17\frac{2}{10}$ poles $S 6^{\circ} W 13^{\frac{35}{100}}$ poles $S 84^{\circ} E 8^{\frac{84}{100}}$
31 poles $S 17^{\circ} E 24^{\frac{66}{100}}$ poles to a stake the North
32 East end of garden thence with a fence

1 S49W 39½ poles to a stake at the end of orchard
2 orchard thence N 39¾ E 27 poles to (L) a stake
3 at top of a cliff near sycamore thence
4 S 9¾ W 10 poles to a stake on the south side
5 of road S 55½ W 8½ poles S 21¼ W 2½ poles to
6 a stake Corner to Lot No 4 and with line
7 thereof N 61¼ W 16½ poles to a stake in creek
8 thence with lines of Lot No 2 to (J)
9 a stake on the north line and with the
10 same N 79¾ E 2¼ poles to (M) a small
11 white-oak Corner to Lot 5 and with line
12 of same S 6 E 164 poles to a white oak
13 thence S 17 E E 12½ poles to a stake N 30 E E 3½ poles
14 to the beginning Containing 41 acres
15 More or less

16 We have laid off and agreed to Fay
17 Sage Lot No 4 bounded as here
18 written Beginning at (N) a stake the North
19 East Corner of Samps Sage's land thence
20 N 42½ W 18¾ poles to a stake on the up south side
21 of road and near on ash thence S 55½ W 5 poles
22 to a stake Corner to Lot No 3 S 21¼ W 2½ poles to
23 a stake a little west of fence corner to orchard thence
24 with line of Lot No 3 N 61¼ W 16½ poles to (K) a stake in
25 Creek thence with creek to line of Lot
26 No 8 and with it S 44½ W 9 poles to a stake on
27 the original West line - said stake opposite on
28 a flint - thence with said West line
29 N 22½ E 19¾ poles to a double Lynn original
30 corner thence with original line N 59¾ E
31 63½ poles to the beginning Containing
32 7 acres more or less

(5) (R.D. Young)

We have laid off and signed to
Ossie Young, Corrie Young Forest Young and
Wellington Young Children of Marcellus
Young Lots No 5 & 5' (prime) Lot
No 5 is bounded as follows to wit
Beginning at (P) a stake and hickory
near a branch thence with division line
between C.V. Young & R.D. Young S $32\frac{3}{4}^{\circ}$ E $25\frac{44}{100}$ poles
to Q a stake below road S $39\frac{3}{4}^{\circ}$ E 1 pole to stake
in road and with the same S $59\frac{1}{2}^{\circ}$ W $2\frac{88}{100}$
poles N 41° W 11 poles S $74\frac{1}{4}^{\circ}$ W $23\frac{6}{100}$ poles S $82\frac{3}{4}^{\circ}$ W $27\frac{26}{100}$
poles N 64° W $11\frac{32}{100}$ poles S $55\frac{5}{8}^{\circ}$ W $5\frac{88}{100}$ poles to a stake
on the south side of road thence leaving
road N $9\frac{3}{4}^{\circ}$ E 10 poles to a stake and by corner
on a cliff corner to Lot No 3 thence with said
cliff & C.V. Young's line and ^{with} fence N $78\frac{1}{4}^{\circ}$ E 10
 $\frac{57}{100}$ poles N $63\frac{1}{4}^{\circ}$ E $13\frac{56}{100}$ poles N $43\frac{1}{2}^{\circ}$ E $7\frac{38}{100}$ poles to an
apple tree N $62\frac{1}{2}^{\circ}$ E $14\frac{08}{100}$ poles to a stake in branch
thence with branch S $83\frac{3}{4}^{\circ}$ E $24\frac{20}{100}$ poles to a stake
& hickory the beginning corner.

— Containing 2 acres more or less —
Lot No 5' is bounded thusly Beginning
at (A) a stake at the north end of a lane
corner to C.V. Young land thence with
division line between said young & R.D.
Young N 6° W 164 poles to B a chestnut
on the north original line and with
the same S $79\frac{3}{4}^{\circ}$ W 105 poles to (M) a small
white oak S 6° E 160 poles to a white oak S $17\frac{1}{2}^{\circ}$ E
 $12\frac{6}{100}$ poles to a stake N $30\frac{1}{2}^{\circ}$ E $3\frac{23}{100}$ poles to the begin-
ning Containing $10\frac{1}{2}$ Acres more or less

We have laid off and assigned to R. W. Young Lot No 6 which is bounded as follows to wit: Beginning at (S) a stake in public road corner to Lot No 5 and with line thereof S 59° 2' W 7⁸⁸/₁₀₀ poles N 41° W 11 poles S 74° 4' W 8 poles thence leaving road S 35° 3' E 135 poles to a black oak on top of Powell's Mountain thence with the top thereof 180° 4' poles to a blazed hickory N 45° E 84 poles to a hickory thence along top of Mountain and with line between C. V. Young & R. S. Young N 20° W 38²/₁₀ poles N 34° 2' W 20²/₁₀ poles to a stake in the back of a spring N 33° 2' W 63⁸⁸/₁₀₀ poles to the beginning. Containing 16 acres More or less.

We have laid off and assigned to Rosemond Freeman Lot No 7 bounded as follows. Beginning at (N) a stake in public road thence with line of Lot No 5 S 74° 4' W 15⁶/₁₀ poles S 82° 4' W 12²/₁₀ poles to (W) a stake thence leaving road S 39° 2' W 40 poles to a sourwood and oak on top of Powell's Mountain and with the top thereof N 63° 4' E 14¹/₁₀ poles N 77° E 7 poles to (N) a black oak corner to Lot 6 and with line thereof N 35° 4' W 135 poles to the beginning. Containing 18 acres More or less.

We have laid off and assigned to Bradford Young Lots 8 and 8¹/₂. Lot No 8 is bounded in this wise

Beginning at (W) a stake in road corner
to Lot No 7 thence with road S 82° 41' W 14³/₄ poles
N 64° W 11³²/₁₀₀ poles S 55° 52' W 9¹⁸/₁₀₀ poles to (Y) a stake
corner to Lot 4 and with line thereof S 42° 22' E
18³/₁₀ poles to (X) a stake corner to said Lot
thence continuing with original west
line S 42° 22' E 52 poles to an apple tree
thence same course S 41° 22' E 85⁶²/₁₀₀ poles
to Z a stake on top of Mountain and
with same S 48° 22' E 11⁶²/₁₀₀ poles N 63° 34' E 4³/₁₀ poles
to X a sawwood & rock corner to Lot
No 7 and with line thereof N 39° W
poles to the beginning

Containing 17 acres more or less
Lot No 8 is bounded as follows

Beginning at a stake on the origi-
nal west corner opposite an apple tree thence
with the line of Store Lot N 44° 36' E 14⁶⁶/₁₀₀
poles to a thornbush N 47° 2' W 4¹/₂ poles to (C)
a rock S 68° W 12 poles to (b) stake on the
original west line thence S 22° 51' E 8¹/₂ poles
to the beginning Containing 2 acres

more or less - Being the R. D. Young part of the same
This lot is to have by removal the
fence building on the North line of Lot
No 4 and saved by

Lot 5 (prime) is to have a right of way
to haul through Lot No 3 along the pres-
ent haul way or any other practical way
the proprietors may agree upon.

Lot No 7 is to have a right of way next to the
public road for cattle to pass unobstructed

1 to the newest branch on lot N° 6

2 All parties or owners of all lots are to have
3 equal privilege to use for household
4 purposes the spring at buckeye south side
5 of creek by banner lot.

6 In making these assignments we
7 have had due regard to quantity qual-
8 ity water ways &c and have endeavored
9 to give each his his or her proportioned
10 part as set forth in said order or
11 decree. Report submitted, this
12 the day of Nov 1900

13 L M Carnical

14 J. E. Hobbs

15 vs Banner

16 } Comm.

17 Bill of Cost

L. M. Carnical	sr & Com	\$ 37.00
J. E. Hobbs	} Com	32 days \$ 7.00
vs Banner		4 " 8.00
James Hoge	} ch	1 1/2 1.50
Bryant Farnham		1 1/2 1.50

18 \$ 55.00

In the Clerk's Office of the Circuit Court of the County of
Lee

Bradford Young & others Plaintiff &
against

In Chancery

R. W. Young & others Defendant &

This day O. G. Young personally appeared
before me, A. B. Munsey Clerk of the said Court,

and being duly sworn, made oath that Rosamond Freeman & John T. Freeman
her husband & R. W. Young, Victoria Duff & George Duff her husband
Fizzie Young, Eva Young, Ossie Young, Carrie Young
William F. Young & Forest Young
defendant in the said suit are not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 15th day of May
1899.

A. B. Munsey Clerk

Bradford Young et als

vs. }

AFFIDAVIT FOR ORDER
OF
PUBLICATION.

R. M. Young et als

C. T. Duncan v. q.

Filed May the 15th
1899.

A. B. Muncey Clerk

In the Clerk's Office of the Circuit Court of the County of
Lee on the 26th day of August 1899.

Ozro Young and others
against

Plaintiff

In Chancery

R Wellington Young & others Defendant

The object of this suit is to partition the lands of which Robert D. Young late of this County died seized, among his several children & heirs at law, said lands being situated on Waller's Lee County, Va. consisting of tract owned by him in his own right and an undivided moiety of a tract owned by himself & L. V. Young

And an affidavit having been made and filed that the defendant R Wellington Young, Rosamond Freeman, John T. Freeman her husband, Victoria Duff, George Duff her husband, Oscar Young, Laura Young, Robert Young, Wellington Young are not resident of the State of Virginia, it is ordered that they do appear here within fifteen days after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof, be published once a week for four weeks in the South-West Virginia, and that a copy be posted at the front door of the court-house of this on the first day of the next term of the Circuit Court.

A copy—Teste:

do. T. Duncan p. q.

A B Munsey Clerk.

Young & others
Suzanne Young

Ozro Young et. als

vs. }

ORDER OF
PUBLICATION.R Wellington Young et^{als}

Virginia Lee County To-wit
 I A B Munsey Clerk of
 the Circuit Court for Lee
 County do hereby certify
 that I posted a copy
 of the within order of
 Publication at the front
 door of the Court-house
 of Lee County on the
 first day of the Sept
 term of County Court
 for said County this
 the 17th day of Sept
 1899.
 A B Munsey Clerk

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon

R Wellington Young
Rasomond Freeman & John T. Freeman
her husband, Victoria Duff & George
Duff her husband, Ossie Young
Carrie Young Forest Young &
Wellington Young Children and heirs
at law of Marcellus Young deceased,
Lizzie Young, & Eva Young Children
and heirs at law of Alonzo Young
deceased, and C. V. Young

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the 1st Monday in October, 1899, to answer a bill in
chancery, exhibited against them in our said court by

Ozro Young, Bradford Young Fay
Sage and Sampson Sage her husband

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the 23rd day of August 1899, and in the 124 year of the Commonwealth.

A. B. Munsey Clerk

Serve copy on
C. V. Young

Form No. 300.

Ozro Young et als

vs. }

SUBPOENA

IN

CHANCERY.

R. Wellington Young et als

C. T. Duncan p. q

To 1st October Rules.

Seiscent Court.

Executed August 31st
1899, by delivering an ~~att~~
attested office copy of the
within & a in Chcy to
B. T. Young at the residence
of C. V. Young he being a
member of the family.
over the age of 16 years and
by explaining to him its
purpose the said C. V. Young
not being found at his usual
place of abode. R. J. Young
for W. J. Mulholland D. B.

**CERTIFICATE OF
ORDER OF PUBLICATION.**

I, A. M. Goins, Editor of the **SOUTH-
WEST VIRGINIAN**, a weekly newspa-
per published at Jonesville, Lee County,
Va., do hereby certify that the annex-
ed notice was published in said paper
once a week for four successive weeks,
commencing on the 31st day of

August, 1899.

A. M. Goins, EDITOR.

FEE, \$5.00

VIRGINIA—In the Clerk's Office of the
Circuit Court of the County of Lee on the
26th day of August, 1899.

OZRO YOUNG, et als, Plaintiffs,
against { In Chancery.

R. WELLINGTON YOUNG, et als, Def'ts.

The object of this suit is to partition the
lands of which Robert D. Young late of
this County died seized, among his several
children and heirs at law, Said lands be-
ing situated on Wallen's Creek, Lee coun-
ty, Va., consisting of a tract owned by him
in his own right, and an undivided moiety
of a tract owned by himself & C. V. Young.
And an affidavit having been made and
filed that the defendants R. Wellington
Young, Rosamond Freeman and John T.
Freeman her husband, Victoria Duff and
George Duff her husband, Ossie Young,
Carrie Young, Forest Young, Wellington
Young, Lizzie Young and Eora Young are
not residents of the State of Virginia, it is
ordered that they do appear here within
fifteen days after due publication hereof
and do what may be necessary to protect
their interest in this suit. And it is fur-
ther ordered that a copy hereof, be pub-
lished once a week for four weeks in the
Southwest Virginian, and that a copy be
posted at the front door of the court-house
of this County, on the first day of the next
term of the County Court.

A copy—Teste:

A. B. MUNSEY, Clerk.

C. T. DUNCAN, p. q.

4t—Aug 31.

ORDER OF PUBLICATION.

Ozro Young et al.

VS.

IN CHANCERY.

R. Wellington Young et al.

FEE

\$ 5-00